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6 **BEFORE THE**
7 **BOARD OF REGISTERED NURSING**
8 **DEPARTMENT OF CONSUMER AFFAIRS**
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2012-400

11 **TROY MICHAEL BRUNET**

DEFAULT DECISION AND ORDER

12 **26691 Oliver Wheat Road**
13 **Livingston, LA 70754**
14 **Registered Nurse License No. 597648**

[Gov. Code, §11520]

15 Respondent.

16
17 **FINDINGS OF FACT**

18 1. On or about December 27, 2011, Complainant Louise R. Bailey, M.Ed., RN, in her
19 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
20 Consumer Affairs, filed Accusation No. 2012-400 against Troy Michael Brunet (Respondent)
21 before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

22 2. On or about April 9, 2002, the Board of Registered Nursing (Board) issued
23 Registered Nurse License No. 597648 to Respondent. The Registered Nurse License expired on
24 August 31, 2011, and has not been renewed.

25 3. On or about December 27, 2011, Respondent was served by Certified and First Class
26 Mail copies of the Accusation No. 2012-400, Statement to Respondent, Notice of Defense,
27 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,
28 and 11507.7) at Respondent's address of record which, pursuant to California Code of

1 Regulations, title 16, section 1409.1, is required to be reported and maintained with the Board,
2 which was and is:

3 26691 Oliver Wheat Road
4 Livingston, LA 70754.

5 4. Service of the Accusation was effective as a matter of law under the provisions of
6 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
7 124.

8 5. On or about January 6, 2012, the domestic return receipt was returned by the U.S.
9 Postal Service indicating a delivery on November 30, 2011 and signed by Bridget Kellum.

10 6. Government Code section 11506 states, in pertinent part:

11 (c) The respondent shall be entitled to a hearing on the merits if the respondent
12 files a notice of defense, and the notice shall be deemed a specific denial of all parts
13 of the accusation not expressly admitted. Failure to file a notice of defense shall
14 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
15 may nevertheless grant a hearing.

16 7. Respondent failed to file a Notice of Defense within 15 days after service upon him
17 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.
18 2012-400.

19 8. California Government Code section 11520 states, in pertinent part:

20 (a) If the respondent either fails to file a notice of defense or to appear at the
21 hearing, the agency may take action based upon the respondent's express admissions
22 or upon other evidence and affidavits may be used as evidence without any notice to
23 respondent.

24 9. Pursuant to its authority under Government Code section 11520, the Board finds
25 Respondent is in default. The Board will take action without further hearing and, based on the
26 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
27 taking official notice of all the investigatory reports, exhibits and statements contained therein on
28 file at the Board's offices regarding the allegations contained in Accusation No. 2012-400, finds
that the charges and allegations in Accusation No. 2012-400, are separately and severally, found
to be true and correct by clear and convincing evidence.

10. Taking official notice of its own internal records, pursuant to Business and Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation and Enforcement is \$447.50 as of February 28, 2012.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Troy Michael Brunet has subjected his Registered Nurse License No. 597648 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. The Board of Registered Nursing is authorized to revoke Respondent's Registered Nurse License based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Evidence Packet in this case:

a. Respondent is subject to discipline pursuant to Business and Professions Code section 2761 subdivision (a) (4) on the grounds of unprofessional conduct in that he was disciplined by the Louisiana State Board of Nursing as follows:

1. On or about March 1, 2004, pursuant to the Consent Order in the disciplinary proceeding titled "In the Matter of: Troy Michael Brunet", the Louisiana Board ordered that Respondent be issued a letter of reprimand for failing to disclose a criminal incident. Respondent was also ordered to pay a fine of \$500 to the Board. Respondent admitted, as follows:

a. On February 12, 2002, the Houma Police Department issued Respondent a misdemeanor Summons for Criminal Damage. On September 23, 2002, in the 32nd Judicial District Court in Terrebonne Parish, a Bill of Information was filed against Respondent for Simple Criminal Damage to Property under \$500. On December 2, 2002, Respondent entered a plea of "no contest" and was sentenced to a fine of \$150 plus costs, and restitution.

b. On October 18, 2002, on his licensure renewal for 2003, Respondent falsified his application by answering "No" to the question, "Since completion of your last renewal/licensure application, have you been arrested, charged with, convicted of, pled guilty or no contest to, or been sentenced for any criminal offense, including all misdemeanors and felonies in any state/country? (Note: Even though an arrest or conviction has been pardoned,

1 expunged, dismissed, or deferred, and your civil rights have been restored, you must answer
2 "Yes" and attach certified court documents or criminal record(s).)"

3 c. On December 8, 2003, on his 2004 renewal, Respondent disclosed the above
4 arrest. Respondent explained that after domestic problems with his ex-brother-in-law, he struck
5 and cracked a locked door to his ex-brother-in-law's house. Respondent was subsequently issued
6 a misdemeanor summons for Simple Property Damage. The matter was settled in January 2003
7 after payment of a fine and restitution. Respondent later explained that he did not intentionally
8 falsify the renewal application, but that he wanted to wait until the matter was resolved before
9 reporting to the Board.

10 d. On or about August 29, 2011, pursuant to the Consent Order in the disciplinary
11 proceeding titled "In the Matter of: Troy Michael Brunet", the Louisiana Board suspended
12 Respondent's Louisiana registered nurse license. The suspension was stayed and Respondent was
13 placed on probation for a minimum of 3 years with completion of certain stipulations.
14 Respondent admitted that on or about August 8, 2010, he illegally possessed the controlled
15 substances Xanax (2 tablets), Oxycodone (2 tablets), and Ecstasy (1 tablet). Respondent also
16 admitted that he was arrested by the Louisiana State Police, Troop D, for the charges and
17 admitted to possession of the drugs. Respondent was booked at the Calcasieu Parish Sheriff's
18 Office. The matter was subsequently dismissed.

ORDER

IT IS SO ORDERED that Registered Nurse License No. 597648, heretofore issued to Respondent Troy Michael Brunet, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on August 31, 2012.

It is so ORDERED August 3, 2012

Raymond Mallef

FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

10846613.DOC
DOJ Matter ID:SA2011102935

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

1 KAMALA D. HARRIS
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 ELENA L. ALMANZO
Deputy Attorney General
4 State Bar No. 131058
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 322-5524
Facsimile: (916) 327-8643
7 Attorneys for Complainant

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2012-400

12 TROY MICHAEL BRUNET,
aka TROY BRUNET
13 26691 Oliver Wheat Road
Livingston, LA 70754
14 Registered Nurse License No. 597648

ACCUSATION

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
21 Department of Consumer Affairs.

22 2. On or about April 9, 2002, the Board issued Registered Nurse License Number
23 597648 to Troy Michael Brunet, also known as Troy Brunet ("Respondent"). Respondent's
24 registered nurse license expired on August 31, 2011.

25 **STATUTORY PROVISIONS**

26 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
27 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
28 ///

1 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
2 Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
5 to render a decision imposing discipline on the license. Under Code section 2811, subdivision
6 (b), the Board may renew an expired license at any time within eight years after the expiration.

7 5. Code section 2761 states, in pertinent part:

8 The board may take disciplinary action against a certified or licensed
9 nurse or deny an application for a certificate or license for any of the following:

10 (a) Unprofessional conduct . . .

11

12 (4) Denial of licensure, revocation, suspension, restriction, or any other
13 disciplinary action against a health care professional license or certificate by another
14 state or territory of the United States; by any other government agency, or by another
California health care professional licensing board. A certified copy of the decision
or judgment shall be conclusive evidence of that action . . .

15 COST RECOVERY

16 6. Code section 125.3 provides, in pertinent part, that the Board may request the
17 administrative law judge to direct a licensee found to have committed a violation or violations of
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
19 enforcement of the case.

20 CAUSE FOR DISCIPLINE

21 **(Disciplinary Actions by the Louisiana State Board of Nursing)**

22 7. Respondent is subject to disciplinary action pursuant to Code section 2761,
23 subdivision (a)(4), on the grounds of unprofessional conduct, in that he was disciplined by the
24 Louisiana State Board of Nursing ("Louisiana Board"), as follows:

25 a. On or about March 1, 2004, pursuant to the Consent Order in the disciplinary
26 proceeding titled "In the Matter of: Troy Michael Brunet", the Louisiana Board ordered that
27 Respondent be issued a letter of reprimand for failing to disclose a criminal incident. Respondent
28 was also ordered to pay a fine of \$500 to the Board. A true and correct copy of the Consent

1 Order is attached as **exhibit A** and incorporated herein by reference. Respondent admitted, as
2 follows:

3 1. On February 12, 2002, the Houma Police Department issued Respondent a
4 misdemeanor Summons for Criminal Damage. On September 23, 2002, in the 32nd Judicial
5 District Court in Terrebonne Parish, a Bill of Information was filed against Respondent for
6 Simple Criminal Damage to Property under \$500. On December 2, 2002, Respondent entered a
7 plea of "no contest" and was sentenced to a fine of \$150 plus costs, and restitution.

8 2. On October 18, 2002, on his licensure renewal for 2003, Respondent falsified
9 his application by answering "No" to the question, "Since completion of your last
10 renewal/licensure application, have you been arrested, charged with, convicted of, pled guilty or
11 no contest to, or been sentenced for any criminal offense, including all misdemeanors and
12 felonies in any state/country? (Note: Even though an arrest or conviction has been pardoned,
13 expunged, dismissed, or deferred, and your civil rights have been restored, you must answer
14 "Yes" and attach certified court documents or criminal record(s).)"

15 3. On December 8, 2003, on his 2004 renewal, Respondent disclosed the above
16 arrest. Respondent explained that after domestic problems with his ex-brother-in-law, he struck
17 and cracked a locked door to his ex-brother-in-law's house. Respondent was subsequently issued
18 a misdemeanor summons for Simple Property Damage. The matter was settled in January 2003
19 after payment of a fine and restitution. Respondent later explained that he did not intentionally
20 falsify the renewal application, but that he wanted to wait until the matter was resolved before
21 reporting to the Board.

22 b. On or about August 29, 2011, pursuant to the Consent Order in the disciplinary
23 proceeding titled "In the Matter of: Troy Michael Brunet", the Louisiana Board suspended
24 Respondent's Louisiana registered nurse license. The suspension was stayed and Respondent was
25 placed on probation for a minimum of 3 years with completion of certain stipulations. A true and
26 correct copy of the Consent Order is attached as **exhibit B** and incorporated herein by reference.
27 Respondent admitted that on or about August 8, 2010, he illegally possessed the controlled
28 substances Xanax (2 tablets), Oxycodone (2 tablets), and Ecstasy (1 tablet). Respondent also

1 admitted that he was arrested by the Louisiana State Police, Troop D, for the charges and
2 admitted to possession of the drugs. Respondent was booked at the Calcasieu Parish Sheriff's
3 Office. The matter was subsequently dismissed.

4 PRAYER

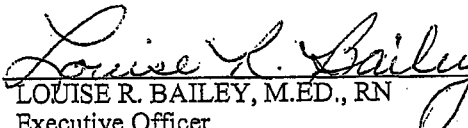
5 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
6 and that following the hearing, the Board of Registered Nursing issue a decision:

7 1. Revoking or suspending Registered Nurse License Number 597648, issued to Troy
8 Michael Brunet, also known as Troy Brunet;

9 2. Ordering Troy Michael Brunet, also known as Troy Brunet, to pay the Board of
10 Registered Nursing the reasonable costs of the investigation and enforcement of this case,
11 pursuant to Business and Professions Code section 125.3;

12 3. Taking such other and further action as deemed necessary and proper.

13
14 DATED: December 27, 2011

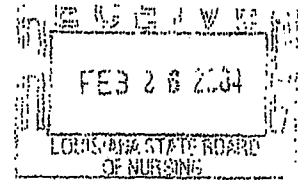

LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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EXHIBIT A
Consent Order of March 1, 2004

LOUISIANA STATE BOARD OF NURSING
METAIRIE, LOUISIANA



IN THE MATTER OF:
TROY MICHAEL BRUNET
100 JEFFERY DUPLANTIS COURT
HOUMA, LA 70360
Respondent

*
*
*

CONSENT ORDER

TERMS AGREED TO BY LICENSEE

I, TROY MICHAEL BRUNET, voluntarily agree to sign and have witnessed terms of agreement for the purpose of avoiding formal administrative proceedings with the Louisiana State Board of Nursing.

I, TROY MICHAEL BRUNET, do say that I freely, knowingly and voluntarily enter into this agreement. I understand that I have a right to a hearing in this matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into this agreement.

I acknowledge that the Louisiana State Board of Nursing makes the following FINDINGS OF FACT:

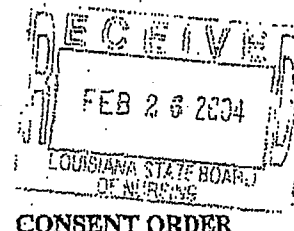
1. That on March 6, 1996, Respondent was licensed by examination to practice as a registered nurse in Louisiana.
2. That on February 12, 2002, the Houma Police Department issued a Misdemeanor Summons for Criminal Damage. On September 23, 2002, in the 32nd Judicial District Court in Terrebonne Parish, a Bill of Information was filed for Simple Criminal Damage to Property under \$500. On December 2, 2002, he entered plea of "No Contest", and was sentenced to fine of \$150 plus costs, and restitution.
3. That on October 18, 2002, on his licensure renewal for 2003, Respondent falsified his Application by answering "No" to the question, "Since completion of your last renewal/licensure application, have you been arrested, charged with, convicted of, pled guilty or no contest to, or been sentenced for any criminal offense, including all misdemeanors and felonies in any state/country? (Note: Even though an arrest or conviction has been pardoned, expunged, dismissed, or deferred, and your civil rights have been restored, you must answer 'YES' and attach certified court documents or criminal record(s).)".
4. That on December 8, 2003, on his 2004 renewal, he disclosed the above arrest, and explained that after domestic problems with his ex-brother-in-law, Respondent struck and cracked a locked door to his brother-in-law's house. He was subsequently issued a misdemeanor summons for Simple Property Damage. The matter was settled in January 2003 after payment of fine and restitution. He later explained that he did not intentional falsify the renewal application but that he wanted to wait until the matter was resolved before reporting to the Board.

To facilitate submission of this Consent Order, I do not offer any defense to the FINDINGS OF FACT. I agree that the Board has jurisdiction of this matter pursuant to L.R.S. 37:911 et seq. I admit to the findings of fact and I further agree that there is sufficient evidence upon which to predicate a finding of violation of the provisions of L.R.S. 37:921. I agree that the Board may treat the allegations of fact and law as true, which finding shall have the same force and effect as if evidence and argument were presented in support of the allegations and, based thereon, the Board found the allegations to be true. I specifically waive my right to contest these findings in any subsequent proceedings before the Board. I understand that this Consent Order shall constitute a public record and is disciplinary action by the Board. I understand that this will be reported as Criminal Incident: Failure to Disclose.

TMB
Initials

LOUISIANA STATE BOARD OF NURSING
METAIRIE, LOUISIANA

IN THE MATTER OF:
TROY MICHAEL BRUNET
100 JEFFERY DUPLANTIS COURT
HOUMA, LA 70360
Respondent



TERMS AGREED TO BY LICENSEE (Cont'd)

I further acknowledge and attest that I have fully cooperated with the Louisiana State Board of Nursing in resolving this matter and intend to comply with all stipulations of this order. In order to avoid further administrative proceedings, I hereby consent to accept and abide by the following ORDER of the Board:

That a letter of reprimand will be issued and become a part of this registrant's permanent file, regarding the incident which brought this registrant before the Board, i.e. Criminal incident: Failure to disclose. Further, he shall:

1. Within three (3) months, submit written evidence of completion of 5 hours of LSBN staff approved continuing education hours to include the areas of Ethics and Legal Accountability.
2. Within seven (7) months, submit payment of \$500.00 fine, and \$200 costs to the Board, with \$100.00 due on the first of each month.
3. Not have any misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board related to this or any other incidents.
4. Failure to comply with the above orders, receipt of an unfavorable report, or non-receipt of reports on or before the date due shall result in the immediate suspension of this registrant's license.

I, TROY MICHAEL BRUNET, understand that this agreement is effective immediately upon signature of the Executive Director. It is also understood that this agreement does not preclude the Board of Nursing from requiring a formal hearing of my case. I further understand that should the Consent Order not be accepted by the Board, I agree that presentation to and consideration of the Consent Order, the documentary evidence and information by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding this registrant.

Dated this 25 day of February, 2004.

Dance L. Marcel
Witness

TROY MICHAEL BRUNET
Witness

LOUISIANA STATE BOARD OF NURSING

Barbara L. Morvant 03/01/04
Barbara Morvant, MN, RN Date
Executive Director

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EXHIBIT B
Consent Order of August 29, 2011

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
TROY MICHAEL BRUNET
26691 OLIVER WHEAT RD.
LIVINGSTON, LA 70754

Respondent

RN# 084353
CONSENT ORDER

TERMS AGREED TO BY LICENSEE

I, TROY MICHAEL BRUNET, (Respondent), voluntarily agree to sign and have witnessed terms of agreement for the purpose of avoiding formal administrative proceedings with the Louisiana State Board of Nursing.

I, TROY MICHAEL BRUNET, do say that I freely, knowingly and voluntarily enter into this agreement. I understand that I have a right to a hearing in this matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into this agreement.

I acknowledge that the Louisiana State Board of Nursing makes the following FINDINGS OF FACT:

1. On or about March 6, 1996, Respondent was licensed by examination to practice as a Registered Nurse in Louisiana.
2. On or about February 25, 2002, Respondent entered into a Consent Order for Formal Reprimand after Respondent had failed to disclose receipt of a Summons of February 12, 2002, for Criminal Damage to Property; Respondent had entered a plea of No Contest to the charge.
3. On or about August 8, 2010, Respondent illegally possessed the controlled substances Xanax (2 tabs), Oxycodone (2 tabs) and Ecstasy (1 tab). Respondent was arrested by the Louisiana State Police, Troop D, for the charges and admitted to possession of same. Respondent was booked at the Calcaieu Parish Sheriff's Office. The matter was subsequently dismissed.

To facilitate submission of this Consent Agreement, I do not offer any defense to the FINDINGS OF FACTS. I agree that the Board has jurisdiction of this matter pursuant to L.R.S. 37:911, et seq. I admit to all of the above facts and I agree that there is sufficient evidence upon which to predicate a finding of violation of the provisions of L.R.S. 37:921. I agree that the Board may treat the allegations of fact and law as true, which finding shall have the same force and effect as if evidence and argument were presented in support of the allegations and, based thereon, the Board found the allegations to be true. I specifically waive my right to contest these findings in any subsequent proceedings before the Board. I understand that this Consent Order shall constitute a public record and is disciplinary action by the Board. I understand that this will be reported to Healthcare Integrity and Protection Data Bank (HIPDB) as F2, Unable to Practice by Reason of Alcohol or Other Substance Abuse.

HIPDB Narrative: RN's license was suspended with stay and probated for a minimum of 3 years with completion of stipulations after possessing non-prescribed controlled medication.

I further acknowledge and attest that I have fully cooperated with the Louisiana State Board of Nursing in resolving this matter and intend to comply with all stipulations of this Order.

In order to avoid further administrative proceedings, I hereby consent to accept and abide by the following ORDER of the Board:

The license of Respondent is suspended, with stay of said suspension, and probated for a minimum of 3 years and compliance with the following listed stipulations within the designated time periods:

Hand Delivered to
Louisiana State Board of Nursing

AUG 15 2011

Page 1 of 4

TMB.
Initials

Received By: *ad*

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
TROY MICHAEL BRUNET
26691 OLIVER WHEAT RD.
LIVINGSTON, LA 70754

Respondent

RN# 084353
CONSENT ORDER

TERMS AGREED TO BY LICENSEE

1. Within 3 days of the date of this agreement, send current RN license to the Board office so that the license can be marked "probated".
2. Within 60 days of the start of license probation, submit to comprehensive outpatient psychiatric, psychological, and substance abuse evaluation, at Respondent's expense, at a Board-recognized evaluation and treatment center; Shall authorize and cause a written report of the said evaluation to be submitted to the Board; Shall include the entire evaluation report including diagnosis, course of treatment, prescribed or recommended treatment, prognosis, and professional opinion as to Respondent's capability of practicing nursing with reasonable skill and safety to patients.
3. Shall submit all pages of this agreement to each evaluator prior to the start of the evaluations in order for the evaluation to be deemed valid.
4. Immediately submit to all recommendations thereafter of the therapist, physician, or treatment team, and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals. This stipulation shall continue until Respondent is fully discharged by the respective professionals and until approved by the Board staff.
5. If the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with Board or Board staff. Must demonstrate to the satisfaction of the Board that Respondent poses no danger to the practice of nursing or to the public and that Respondent can safely and competently perform the duties of a Registered Nurse.
6. If the Board approves continued licensure, the probation period, conditions or stipulations, may be revised to ensure that patients and the public are protected.
7. If found to be chemically dependent, immediately sign an agreement with the Recovering Nurse Program (RNP) and cause to have submitted evidence of compliance with all program requirements for a minimum of 3 years. License suspension with stay and probation shall be extended to run concurrently, on the same dates, with RNP participation.
8. Shall remain free of alcohol and all unprescribed mood altering substances. Any mood altering, addictive, or dependency-inducing substance must be currently proscribed for a bona fide medical condition by a physician (or other qualified treating prescriber(s)) knowledgeable about the individual's history and the information underlying the Board's concerns. All prescribed drugs must be verified in writing to the Board on a specified form by the prescribing physicians/qualified prescriber(s) within five (5) days from the effective date of this agreement/order and within five (5) days from the date(s) of any new prescriptions. The Board reserves the right to have a LSBN recognized addictionist review and approve the prescriptions for continued nursing practice.
9. Shall maintain complete and total abstinence from any and all potentially addictive chemicals whether over-the-counter, scheduled or unscheduled (including but not limited to alcohol, alcohol containing products, marijuana, tranquilizers, sedatives, stimulants, narcotics, opioids including ultram (tramadol), nubain, soporifics, androgenic steroids, or any other addictive drug) except as prescribed for a bona fide medical condition by a healthcare provider who is knowledgeable in, and aware of Respondent's history with the Board.
10. Shall voluntarily submit to random and observed drug screens, for a minimum of 24 times a year, inclusive of bodily fluids, breath analysis, hair analysis, or any other procedure as may be directed by the Board and/or employer. If selected for a screen, failure to provide sufficient specimen (bodily fluids, hair, nails etc.) for analysis or failure to test may be considered a positive screen. Random

Hand Deliv. fluids, hair, nails etc.)
Louisiana State Board of Nursing

Page 2 of 4

AUG 15 2011

Received By: EA

T.M.B.
Initials

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:
TROY MICHAEL BRUNET
26691 OLIVER WHEAT RD.
LIVINGSTON, LA 70754

RN# 084353
CONSENT ORDER

Respondent

TERMS AGREED TO BY LICENSEE

drug screens will be a minimum of 24 times a year. It is the Respondent's responsibility to assure that lab personnel observe all urine specimen collections. If urine specimen collection is not observed the results are invalid. The Respondent agrees to call the toll free number or check the testing notification via computer daily. Compliance with checking daily is monitored and failure to check may result in additional screens. It is the Respondent's responsibility to maintain a current account with testing administrator. If Respondent misses a test due to a suspended account or fails to test on the day of notification it will be considered a positive screen and appropriate action will be taken including but not limited to, further evaluation, additional testing, and suspension of license. The results of any such testing will be reported directly to the Board. Any and all such testing shall be performed at Respondent's expense. Additional screenings may be requested by Board staff. Written reports of same shall be submitted to the Board.

11. Shall avoid exposure to anything that will cause a urine drug test to be positive. In that regard, Respondent shall avoid such items as "hemp oil" "coca tea" and poppy seeds (which can be found in curry sauces, breads, salad dressings, and in or on other foods). Respondent agrees to not use ethyl alcohol in any form (including N.A. or alcohol- "free" wine or beer, over-the-counter drugs containing alcohol (cough syrup, Nyquil or other similar OTC drugs or supplements), mouthwash or other hygiene products containing ethanol, foods containing ethanol (desserts, vanilla extract, etc.), communion wine, or any other form of ethyl alcohol). Intentional use of any of these products or medications without a physicians order is a violation of this order.
12. Respondent agrees to execute a written authorization, along with execution of this Consent Order/agreement, allowing the Louisiana State Board of Nursing, and any authorized designees thereof, to access prescription monitoring information submitted to, or maintained by, the Louisiana Board of Pharmacy through its Prescription Monitoring Program (PMP) for the purpose of monitoring compliance with this agreement/Order and to determine fitness and ability to practice nursing with reasonable skill and safety. Respondent shall cause to be submitted a completed authorization release form to the Louisiana Board of Pharmacy and shall cause information and reports to be sent to the Louisiana State Board of Nursing, such written authorization to be effective for the duration of this Consent Order/agreement. Respondent may also be required during this time period duration to provide to the board/board staff copies of prescription monitoring information maintained by the Board of Pharmacy.
13. Prior to beginning or returning to work, inform all nursing employers of these disciplinary measures and of the probationary status of license. Respondent is responsible to submit a copy of all pages of this agreement to each employer and nursing supervisor.
14. Within 5 days, shall cause all employers to submit to the Board, signed Employer's Agreement from each employer.
15. Have all immediate nursing supervisors submit a performance evaluation report quarterly, commencing from the first date of employment. Quarterly reports are due on or before the first day of January, April, July and October.
16. Work in a restrictive environment as a member of a treatment team rather than alone or with a few employees. Additionally, not be employed in any unsupervised setting. Must be directly supervised by an on-site Registered Nurse. Not be employed in agency/pool/staffing, home health services, or nursing homes.

Handwritten immediately (within 72 hours) inform the Board in writing of any change in address.
Louisiana State Board of Nursing

Page 3 of 4

AUG 15 2011

Received By: EL

T.M.B.
Initials

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:

TROY MICHAEL BRUNET
26691 OLIVER WHEAT RD.
LIVINGSTON, LA 70754

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RN# 084353
CONSENT ORDER

Respondent

TERMS AGREED TO BY LICENSEE

18. Immediately inform the Board in writing of all places of employment. If employment changes, the Board shall be immediately (within 72 hours) notified in writing.
19. If unemployed, inform the Board in writing on a quarterly basis.
20. Shall engage in the practice of professional nursing in Louisiana for a minimum of twenty four (24) hours per week for a minimum 18 consecutive months.
21. Within 12 months, submit payment of \$200.00 to the Board as cost of Consent Order.
22. Within 12 months, submit payment of \$ 750.00 to the Board as fine.
23. By the first of each month, submit a monthly probation fee of twenty-five dollars (\$25.00) to the Board, beginning September 1, 2011.
24. Not have any misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board related to this or any other incidents.
25. Failure to comply with the above orders, receipt of an unfavorable report, or non-receipt of reports on or before the date due shall result in the immediate suspension of Respondent's license. This suspension can be imposed by action of the Executive Director subject to the discretionary review of the Board.

I, TROY MICHAEL BRUNET, understand that this agreement is effective immediately upon signature of the Executive Director. It is also understood that this agreement does not preclude the Board of Nursing from requiring a formal hearing of my case. I further understand that should the Consent Agreement not be accepted by the Board, I agree that presentation to and consideration of the Consent Agreement, the documentary evidence and information by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding this Respondent.

Dated this 13 day of August, 2011.

Patricia Brunet
Witness

Troy M. Brunet
TROY MICHAEL BRUNET
Anne LeB
Witness

LOUISIANA STATE BOARD OF NURSING

Barbara L. Morvant 08/29/2011
Barbara L. Morvant, MN, RN Date
Executive Director

Hand Delivered to
Louisiana State Board of Nursing

AUG 15 2011

Received By:

EA

Page 4 of 4

T.M.B.
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